

Order

Michigan Supreme Court
Lansing, Michigan

June 3, 2015

Robert P. Young, Jr.,
Chief Justice

150286

Stephen J. Markman
Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 150286
COA: 311441
St. Clair CC: 12-000721-FC

ROBIN SCOTT DUENAZ,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the July 10, 2014 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other action. MCR 7.302(H)(1). The parties shall file supplemental briefs within 42 days of the date of this order addressing: (1) whether evidence of a child's prior sexual abuse is "sexual conduct" barred by the rape-shield statute, MCL 750.520j; (2) if so, whether evidence of prior sexual abuse was nevertheless admissible in this instance to preserve the defendant's right of confrontation and to present a defense (see *People v Hackett*, 421 Mich 338 (1984)); and (3) whether any error in excluding evidence of prior sexual abuse in this case was harmless. The parties should not submit mere restatements of their application papers.

The Criminal Law Section of the State Bar of Michigan, the Prosecuting Attorneys Association of Michigan, and the Criminal Defense Attorneys of Michigan are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



s0527t

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 3, 2015


Clerk